

## DETAILED ACTION

### *Response to Amendment*

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. With regards to the finality of the office action dated 6/3/2008 the examiner withdrew finality on 10/31/2008 as stated in the interview summary mailed on 10/31/2008.

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Sheldon Landsman (see interview summary) on 1/29/2009.

The application has been amended as follows:

**Claim 1:** A magnetic recording medium comprising an orientation adjusting layer, a nonmagnetic under layer, a nonmagnetic intermediate layer, a magnetic layer and a protective layer sequentially stacked on a nonmagnetic substrate provided on a first surface thereof with a texture streak and used for a magnetic disc, wherein the nonmagnetic under layer contains at least a layer formed of a Cr-Mn-based alloy, wherein the magnetic layer and possesses magnetic anisotropy having an axis of easy magnetization in a circumferential direction thereof, and wherein the layer of Cr-Mn-based alloy that forms at least part of the nonmagnetic under layer has an Mn

content in a range of 1 to 60 at%, wherein the nonmagnetic underlayer contains at least a layer formed of a Cr-Mn-based alloy and a layer formed of a Cr-Mo-based alloy formed thereon, and the Cr-Mn-based alloy has Cr as a first main component and Mn as a second main component, and the Cr-Mo-based alloy has Cr as a first main component and Mo as a second main component.

Claims 1, 2, 4, 7-18 are allowed.

The following is an examiner's statement of reasons for allowance: The closest prior art Takahashi et al. US 6,878,459 teaches underlayer utilizing Cr and or Cr alloy (Col. 4, Line 50-59). However, Takahashi et al. US 6,878,459 fails to teach, suggest or render obvious the layered structure utilizing a textured streak and a Cr-Mo based alloy is formed over the Cr-Mn based alloy utilizing claimed Mn content as argued by applicant in response filed on 10/3/2008.

Claims 2, 4, & 7-18 further describe and are dependent upon claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GARY D. HARRIS whose telephone number is (571)272-6508. The examiner can normally be reached on 8AM - 5PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Tarazano can be reached on 571-272-1515. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gary D. Harris/  
Examiner, Art Unit 1794